

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE CATTLE AND BEEF ANTITRUST
LITIGATION

CASE NO. 0:20-CV-1319 (JRT/HB)

This Document Relates To:

COMMERCIAL AND INSTITUTIONAL
INDIRECT PURCHASER PLAINTIFF
ACTION

This matter comes before the Court on the Commercial and Institutional Indirect Purchaser Plaintiff's Motion for Appointment of Interim Class Counsel and Establishment of a Plaintiff Steering Committee for the Commercial and Institutional Indirect Purchaser Plaintiffs ("CIIPPs").

After consideration of the Motion and related papers, **IT IS HEREBY ORDERED:**

1. The Court has carefully reviewed the motion and its accompanying declarations. The Court also considered the factors outlined in Rule 23(g) of the Federal Rules of Civil Procedure and relevant authority relating to the appointment of interim lead counsel.
2. The Court recognizes that Mr. Raiter, Ms. Aldridge, and Mr. Finley and their law firms have previously been appointed by other federal courts to represent the interests of intermediate level indirect purchasers in antitrust actions. The Court also notes that Mr. Raiter and Mr. Finley's firms filed the first CIIPP action in this litigation and that all of the proposed firms have the support of the representative CIIPP business.
3. The submission demonstrates that attorneys Shawn Raiter, Sterling Aldridge, and Blaine Finley and their law firms, satisfy the requirements of Rule 23(g). This includes the

work counsel has done in identifying or investigating potential claims in the action; counsels' experience in handling class actions, other complex litigation, and the types of claims asserted in the action; counsels' knowledge of the applicable law; and the resources that counsel will commit to representing the class.

4. **IT IS HEREBY ORDERED** that the Motion ([ECF No. 411](#)) is **GRANTED**.

The Court appoints Shawn Raiter of Larson · King, LLP, Sterling Aldridge of Barrett Law Group, P.A., and Blaine Finley of Cuneo Gilbert & LaDuca, LLP as Interim Co-Lead Counsel, and approves the establishment of a Plaintiff Steering Committee in the CIIPP action consisting of Tostrud Law Group, P.C. and Derfner & Altman.

5. The duties of CIIPP Interim Co-Lead Counsel will include:
 - a. To determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of CIIPPs on all matters arising from pretrial proceedings;
 - b. To coordinate the initiation and conduct of discovery on behalf of CIIPPs consistent with the requirements of [Fed. R. Civ. P. 26\(b\)\(1\), 26\(b\)\(2\)](#), and 26(g), including the preparation of joint interrogatories and requests for production of documents and the examination of witnesses in depositions;
 - c. To conduct settlement negotiations on behalf of CIIPPs and any proposed CIIPP classes, but not enter into binding agreements except to the extent authorized by law;
 - d. To delegate specific tasks to other counsel in a manner to ensure that pretrial preparation is conducted efficiently and effectively;
 - e. To enter into stipulations with opposing counsel as necessary for the conduct of the litigation;
 - f. To prepare and distribute periodic status reports to the parties;
 - g. To maintain adequate contemporaneous time and cost records covering services as lead counsel and collect such information from CIIPPs' co-counsel on at least

a monthly basis. Lead counsel will provide summaries of such time and cost records for in camera review at the Court's request;

- h. To monitor the activities of co-counsel to ensure that schedules are met and unnecessary expenditures of time and funds are avoided; and
- i. To perform such other pretrial duties as may be incidental to the proper coordination of pretrial activities or authorized by further order of the Court.

6. In no event shall any document be filed, or any discovery be served, on behalf of CIPPs without the approval of CIPP Interim Co-Lead Counsel or leave of Court, and any such filing may be stricken.

7. To the extent consistent with their duties, and as appropriate, CIPP Interim Co-Lead Counsel shall coordinate with counsel for plaintiffs in all of these coordinated cases so as to avoid duplication, inefficiency, and inconvenience to the Court, the parties, counsel, and witnesses.

IT IS SO ORDERED.

Dated: March 1, 2022

BY THE COURT:

s/Hildy Bowbeer

HILDY BOWBEER

United States Magistrate Judge